

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

ANDREW DIVERSEY,

Plaintiff,

v.

No. 1:12-cv-00651-SMV/KK

**DAVID SCHMIDLY, individually;
RICHARD HOLDER, individually;
CHARLES FLEDDERMANN, individually;
MARTHA BEDARD, individually;
ROBERT FRANK in his official capacity;
CAROL PARKER in her official capacity;
JULIE COONROD in her official capacity; and
RICHARD CLEMENT in his official capacity,**

Defendants.

JOINT STIPULATED MOTION FOR DISMISSAL WITH PREJUDICE

Plaintiff Andrew Diversey, by and through his counsel of Record Brett J. Danoff of Michael Danoff & Associates, P.C., and Defendants David Schmidly, Richard Holder, Charles Fleddermann, Martha Bedard, Robert Frank, Carol Parker, Julie Coonrod, and Richard Clement (collectively “Defendants”), in their individual and official capacities, by and through their counsel of record Kimberly N. Bell hereby request, stipulate and agree, having reached a settlement agreement concerning the above captioned matter, that all claims asserted by Plaintiff in this action be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2).

WHEREFORE, Plaintiff and Defendants respectfully request that the Court enter an Order granting the Parties’ Joint Stipulated Motion for Dismissal with Prejudice. The Parties shall each bear their own attorneys’ fees, costs and expenses incurred in this action.

Dated: June 5, 2015

Respectfully submitted,

MICHAEL DANOFF & ASSOCIATES, P.C.

By: /s/ Brett J. Danoff
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CERTIFICATE OF SERVICE

The undersigned certifies that a true and correct copy of the above has been served on all counsel of record on June 5, 2015 by filing the foregoing document with the Court's CM/ECF system.

/s/ Brett J. Danoff
Brett J. Danoff